

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF VIRGINIA
Richmond Division**

HANNAH CRAMER, et al.,

Plaintiffs,

v.

ARKESIA, INC. d/b/a CLUB ROUGE, et al.,

Defendants.

Case No. 3:18-cv-00039

**DEFENDANTS' MOTION TO WITHDRAW THEIR MOTION TO
DISMISS OPT-IN PLAINTIFF EMILY LACUESTA'S FIRST AMENDED
COMPLAINT OR, IN THE ALTERNATIVE, TO COMPEL ARBITRATION**

COMES NOW Defendants Arkesia, Inc. d/b/a Club Rouge ("Club Rouge"), Circle 2, Inc. d/b/a Daddy Rabbits ("Daddy Rabbits"), Circle 2, Inc. d/b/a Candy Bar ("Candy Bar"), Imaginary Images, Inc. d/b/a Paper Moon ("Imaginary Images"), BTF3, Inc. d/b/a Papermoon ("BTF3"), MGB., Inc. d/b/a Pure Pleasure ("Pure Pleasure"), and William Andrea Pyliaris ("Pyliaris") (collectively "Defendants") by and through their undersigned counsel, submit this Motion to Withdraw their Motion to Dismiss Opt-In Plaintiff Emily LaCuesta's First Amended Complaint, or in the Alternative, to Compel Arbitration. In support of this Motion, Defendants state as follows:

1. On January 16, 2018, Plaintiff Hannah Cramer initiated this lawsuit by filing a Complaint against Defendants Club Rouge, Daddy Rabbits, Candy Bar, Imaginary Images, Pure Pleasure, "And/Or Any Other Entities," and Pyliaris.

2. On February 26, 2018, Plaintiff Cramer and Plaintiff Jessica Blakley ("Plaintiff Blakley") (collectively "Plaintiffs") filed a First Amended Class Action Complaint ("Amended

Complaint”) against Defendants Club Rouge, Daddy Rabbits, Candy Bar, Imaginary Images, Inc., BTF3, Pure Pleasure, and/or Other Entities, and Pyliaris. *See* ECF No. 51.

3. On February 27, 2018, Plaintiffs filed a Consent to Join Collective Action for Opt-In Plaintiff Emily Lacuesta. *See* ECF No. 52.

4. On April 13, 2018, Defendants filed a Motion to Dismiss Opt-In Plaintiff Emily LaCuesta’s First Amended Complaint or, in the Alternative Compel Arbitration and Stay Proceedings Pending Arbitration. *See* ECF No. 145.

5. On April 18, 2018, Defendants extended Opt-in Plaintiff LaCuesta an Offer of Judgment. *See* ECF No. 168.

6. On May 4, 2018, Opt-in Plaintiff LaCuesta filed a Notice of Acceptance of Offer of Judgment. *See* ECF No. 168.

7. Defendants’ Motion to Dismiss Opt-In Plaintiff Emily LaCuesta’s First Amended Complaint, or in the Alternative, to Compel Arbitration is now moot.

WHEREFORE, Defendants respectfully requests that this Court enter the attached Order granting Defendants’ Motion to Withdraw their Motion to Dismiss Opt-In Plaintiff Emily LaCuesta’s First Amended Complaint, or in the Alternative, to Compel Arbitration.

Dated: May 4, 2018

Respectfully submitted,

**Arkesia, Inc. d/b/a Club Rouge,
Circle 2, Inc. d/b/a Daddy Rabbits,
Circle 2, Inc. d/b/a Candy Bar,
Imaginary Images, Inc. d/b/a Paper Moon,
BTF3, Inc. d/b/a Papermoon,
MGB., Inc. d/b/a Pure Pleasure,
AND William Andrea Pyliaris**

By: _____/s/

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CERTIFICATE OF SERVICE

I hereby certify that on May 4, 2018, I electronically filed the foregoing with the Clerk of the Court using the CM/ECF system which will send notification of such filing to the following:

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